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**Subject:** Microsoft Settlement

The settlement as proposed is a bad idea. It does provide for the creation of a Technical Committee with investigative powers, but appears to leave all actual enforcement to the legal system. Microsoft has proven that it can keep the legal system tied up for years.

It has poor definitions for key terms like "API", "Middleware", and "Windows OS".

It does not provide for advanced notice of changes in API. This is bad because it allows competing middleware to be locked out if it fails to meet unspecified technical requirements seven months before the final beta test of a new version of Windows, but the changes to the api do not have to be documented until the final beta test.

There are many places where the specific section sounds fine, but when definitions and requirements from other sections are taken into account, the final results is an agreement that does little to change the way Microsoft does bussiness.

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